

**PLANNING COMMISSION
REGULAR MEETING APRIL 4, 2016**

Robert Pease, Vice-Chairman, opened the meeting at 6:00 P.M. with the following in attendance:

MEMBERS:

Anthony Whelan, Chair - absent
Robert Pease, Vice-Chair
Harry Jancis - absent
Ray Krzykowski - absent
Robert Clark
Doyle Anderson
Dave Sletner, Alternate

OTHERS:

Sue Goggin, ZEO
Lori Rotella, Assistant ZEO
Wayne Zirolli, Borough Engineer
Attorney Ned Fitzpatrick
Carl Herb, Burgess Liaison - absent
Public - 0

1. Robert Pease led with the Pledge of Allegiance. He took attendance, appointed Dave Sletner as a regular voting member in place of Ray Krzykowski and Doyle Anderson in place of Anthony Whelan then noted there was a quorum.
2. Executive session with Borough Attorney.

There was no executive session.

3. Review /Approval of the March 7, 2016 Regular Meeting Minutes.

VOTED: Unanimously on a motion by Robert Clark and seconded by Doyle Anderson to **APPROVE** the March 7, 2016 Regular Meeting Minutes as amended.

4. NEW BUSINESS

- A. All new items require a 2/3 vote.

There was none.

5. OLD BUSINESS

- A. Commission discussion/decision regarding referral from the Naugatuck Zoning Commission for proposed 30,000 square foot medical building and mixed commercial use and 5,000 square foot restaurant/mixed use building at 58 Maple Street (Parcel C), Applicant: Heritage Downtown, LLC

Kevin McSherry representing Heritage Downtown, LLC stated that the traffic and drainage reports have been submitted as well as the changes and adjustments to the plans as a result of the commission's requests from last month's meeting. They have received police commission approval with some adjustments to the plans, which are also reflected on the plans dated March 29, 2016. Attorney McSherry explained to the commission that the Chief

stated that it would be impossible to put a traffic light on the corner of Maple Street and Water Street due to the fact that it would back up traffic over the bridge. He recommended leaving the intersection as is for now. They will have to address that once something happens with Parcels A & B. Darin Overton, Licensed Engineer with Milone & MacBroom summarized the changes he made on the revised plans. The bulk of the changes were highlighted on the plans dated March 29, 2016 which included shifting the entrance/exit at Old Firehouse Road, relocating the driveway on North Water Street towards the center of the parcel, away from the Post Office exit, and changes to the loading spaces. Based on Wayne Zirolli's recommendations, they reconfigured the islands and added more handicap parking next to the medical building. The sidewalks were also reconstructed and the storm water system was upgraded. Street trees were added but with that they lost some of the parking spaces. They are down to 168 parking spaces from 174. The commissioners had several questions for the applicant's engineer. The cut and fill figures were supplied but the commission wanted to know if the earth work cut on site would be used on the site. Darin said it will. Attorney McSherry also noted that they do not need a Special Permit because it is for the removal of material not for bringing it onto the site. Susan Goggin reminded the commission that they can regulate the truck routes bringing in the material due to the upcoming work to be done on the Whittemore Bridge. Attorney McSherry stated his client will consider the best route depending on when the work will be done. The commission requested calculations for the water runoff data for a variety of storm conditions. Darien stated they submitted pipe sizing design calculations for the storm water management system for the 5, 10, 20 and 100 year storms. Robert Pease mentioned that 2/3 of this parcel is located within a mild flood plain area. Wayne Zirolli clarified for the commission that in our zoning regulations we do not have storm water regulations, which we need to write. Our regulations for the 25, 50, 100 year storm are for subdivisions. Typically for commercial developments, we require it to be designed for the 25 year storm, which the applicant has done. Wayne also commented in his letter that the lower part of water shed is near the river and we typically do not require detention so as to not cause additional flooding. Wayne also explained that he went over the site plan with Jim Stewart and they did not see any reason to have detention on site. Attorney Fitzpatrick had a question regarding the alignment of the light at Firehouse Road and Maple Street. Attorney McSherry noted his client is making adjustments to move the pole down a little and that is noted in the traffic study. Attorney Fitzpatrick suggested that they note this on the site plan layout. Robert Pease had several questions regarding how they will handle the capping of the sequestered area. Attorney Fitzpatrick noted that the Borough is working with DEEP to adopt an Engineer Controlled Variance for the site. He went into detail of how they will control the drainage. The Borough has met with DEEP regarding this site prior to this applicant being interested in developing this parcel. The Borough has hired a Licensed Engineering Professional to work on this with the applicant. The placement of the cap is the Borough's responsibility. The Borough feels comfortable that this is the best way to develop this site. There was a discussion on if we need a DEEP permit for the site and who will be applying for it. Attorney Fitzpatrick

explained that they can have a recommendation in their report to the Zoning Commission with regards to having appropriate DEEP approvals. There was a question on what waivers were submitted by the applicant. Attorney McSherry stated the size of the parking spaces, the height of the building and the building setback from the road were what they were looking for waivers on. There was also a question on the stamped concrete and if it will be ADA compliant. Darin stated that all sidewalks and patios will be ADA compliant. Susan Goggin pointed out that at the last Zoning Commission meeting, there was a discussion on the materials being used in the construction of the building. They were hoping to have the new building be in harmony with the other buildings in the downtown area. She passed photos of various buildings from the downtown area as well as literature on different materials that could be used. A discussion followed on what is proposed for the exterior of the building and what the commission might like to see.

VOTED: on a motion by Robert Pease and seconded by Dave Sletner to send a **POSITIVE** referral to the Zoning Commission regarding a special permit for the development of Parcel C, Applicant: Heritage Downtown, LLC with the following comments:

- a) Applicant to provide the Zoning Commission an alternate route for transporting fill to the site consistent with the possibility that the Whittemore Bridge will be under construction.
- b) Applicant to submit a full set of exterior architectural drawings and plans indicating all materials to be used on both the medical building and the secondary retail building to the Zoning Commission for their review.
- c) Applicant will incorporate traffic signal phasing requirements on the drawing package prior to submittal to the Zoning Commission.
- d) Applicant will annotate each appropriate drawing to indicate that all sidewalks and patios are handicap (ADA) compliant.

Robert Pease asked for any discussion. Robert Clark thought they should add the commission's DEEP concerns to their recommendation.

Dave Sletner withdrew his second and Robert Pease withdrew his motion. There was a discussion on how to word the commission's DEEP concerns with the parcel.

VOTED: Unanimously on a motion by Robert Pease and seconded by Robert Clark to send a **POSITIVE** referral to the Zoning Commission regarding a special permit for the development of Parcel C, Applicant: Heritage Downtown, LLC with the following comments:

- a) Applicant to provide the Zoning Commission an alternate route for transporting fill to the site consistent with the possibility that the Whittemore Bridge will be under construction.
- b) Applicant to submit a full set of exterior architectural drawings and plans indicating all materials to be used on both the medical building and the secondary retail building to the Zoning Commission for their review.

- c) Applicant will incorporate traffic signal phasing requirements on the drawing package prior to submittal to the Zoning Commission.
- d) Applicant will annotate each appropriate drawing to indicate that all sidewalks and patios are handicap (ADA) compliant.
- e) Applicant to ascertain that the appropriate DEEP permits and approvals have been acquired by the Borough before commencing development on the environmental control variance area.

6. ADJOURNMENT

VOTED: Unanimously on a motion by Dave Sletner and seconded by Robert Clark to adjourn the meeting at 7:20 P.M.

RESPECTFULLY SUBMITTED:

Ray Krzykowski, Secretary/lr